

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.14157 OF 2007

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DATED: 05-07-2007

BETWEEN

Smt. Kandadi Vijaya Laxmi,
W/o. K. Uppal Reddy,
Occ: Agriculture,
R/o. Flat No.404,
KJR Complex, Akbar Road,
Diamond Point, Sikh Village,
Secunderabad and another.

...PETITIONERS

AND

The Superintendent of Police,
Nalgonda District, AP and
others.

...RESPONDENTS

ORDER:

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Petitioners submit that they are the absolute owners and possessors of the agricultural lands in Sy.No.315 admeasuring Ac.4.00; Sy.No.316 admeasuring Ac.19.13 guntas; Sy.No.317 admeasuring Ac.11.26 guntas and Sy.No.330 admeasuring Ac.10.00 total 59.29 guntas dry land situated in Timmapur Village of Bommala Ramaram Mandal, Nalgonda District. Petitioners further submit that they have purchased the said lands by way of registered sale deeds and the concerned Mandal Revenue Officer by granting pattadar passbooks and title deeds mutated their names. When the respondents 3 to 7 trespassed into their lands, the petitioners made a complaint, based on which, a case in Cr.No.36 of 2006 under Sections 447, 427 read with Section 34 of the Indian Penal Code was registered by the

SHO, Bommala Ramaram Police Station and the accused were also arrested and later released on bail.

2. Petitioners further submit that they filed a suit in O.S.No.128 of 2006 on the file of the Senior Civil Judge, Bhavanagiri for perpetual injunction against respondents 3 to 7; pending suit they have filed an applications for temporary injunction, which is pending. They further submit that the second respondent being the Deputy Superintendent of Police of Bhavanagiri and Nalgonda District, at the instance of the respondents 3 to 7, is interfering with their personal life and liberty and pressurizing them to settle the dispute and also to withdraw the criminal case as well as the civil suit. In that regard, it is stated that a representation dated 20.06.2007 has been given to the Superintendent of Police in person, but so far no action has been taken against the unofficial respondents.

3. Having regard to the aforesaid facts and circumstances of the case, I am of the opinion that when a representation has been made making specific allegations against the second respondent, it is just and proper for the Superintendent of Police to get the matter enquired by any other officer not less than the rank of Deputy Superintendent of Police and shall take appropriate action in accordance with law.

The writ petition is accordingly disposed of directing the first respondent to consider and dispose the representation of the petitioners dated 20.06.2007 in accordance with law for taking appropriate action against all the concerned. There shall be no order as to costs.

V. ESWARAIAH, J

July 5, 2007
DSK